

2019/09/23

OBJECTS AND REASONS

This Bill would amend the *Offences Against the Person Act*, Cap. 141.

Arrangement of Sections

1. Short title
2. Amendment of section 2A of Cap. 141

BARBADOS

A Bill entitled

An Act to amend the *Offences Against the Person Act*, Cap. 141.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Offences Against the Person (Amendment) Act, 2019*.

Amendment of section 2A of Cap. 141

2. *Section 2A of the Offences Against the Person Act, Cap. 141 is deleted and the following is substituted:*

“Review of existing sentences for the offence of murder

2A.(1) A person who, prior to the commencement of the amendments contained in the *Offences Against the Person (Amendment) Act, 2018*, (Act 2018-32), was convicted of murder and sentenced to death and

- (a) whose sentence was not commuted under section 78 of the *Constitution* shall have
 - (i) his sentence set aside; and
 - (ii) a new sentence imposed by the Chief Justice or such judge as the Chief Justice shall assign; or
- (b) whose sentence was commuted under section 78 of the *Constitution* shall have
 - (i) his sentence and the instrument by which the sentence was commuted, set aside; and
 - (ii) a new sentence imposed by the Chief Justice or such judge as the Chief Justice shall assign.

(2) The sentence of death shall not be imposed on a person whose sentence is reviewed pursuant to subsection (1).

(3) The Chief Justice or such judge as he shall assign shall, in imposing a new sentence under subsection (1), take into consideration the guidelines set out in sections 39 and 41 of the *Penal System Reform Act, Cap. 139*. ”.

Read three times and passed the House of Assembly this
day of _____, 2019.

Speaker

Read three times and passed the Senate this _____ day of
, 2019.

President